Public Document Pack

Supplementary Agenda

Melton Borough Council

Rural Capital of Food

Meeting name	**Meeting of the Planning Committee**
Date	**Thursday, 4 April 2019**
Start time	**6.00 pm**
Venue	**Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH**
Other information	**This meeting is open to the public**

Meeting enquiries	Development Control
Direct Dial	
Email	externaldevelopmentcontrol@melton.gov.uk

No.	Item	Page No.
	5.318/01515/FUL Rectory Court, Rectory Lane, Bottesford	1 - 6

This page is intentionally left blank

COMMITTEE DATE: 04th April 2019

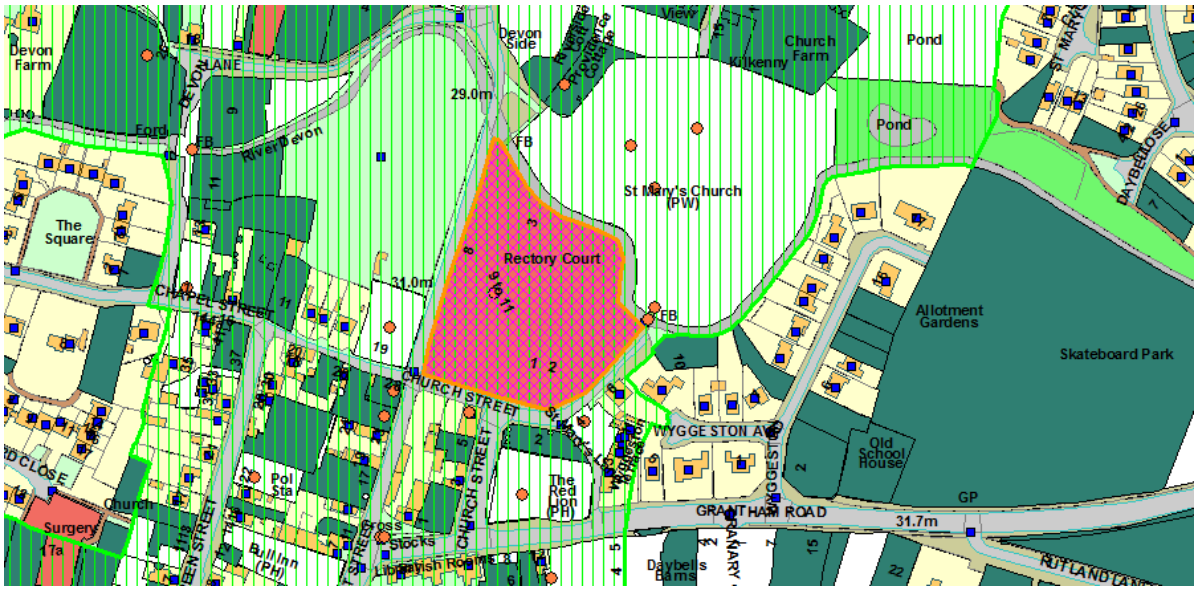
Reference: **18/01515/FUL**

Date Submitted: **18.12.2018**

Applicant: **Hana & Co Ltd – Mr Malcolm Bunn**

Location: **Rectory Court, Rectory Lane, Bottesford**

Proposal: **Installation of entrance bollards**



Introduction:-

The application seeks full planning permission for the installation of entrance bollards at the existing vehicular access at Rectory Court, Rectory Lane Bottesford. The Rectory is a 17th Century Grade II listed building and sits within Bottesford Conservation area.

The Bollards will be 1.5 metres in height of which 0.5 metres will be underground, being wooden in appearance and removable to allow authorised vehicles to attend Rectory Court, the request has been made in order to stop Heavy Goods Vehicles using Rectory Court as a turning point on Rectory Lane.

It is considered that the main issues arising from this proposal are:

- Compliance or otherwise with the Development Plan and the NPPF
- Impact upon the Listed Building and Conservation Area.
- Highway safety

The application is presented to the committee as the applicant includes an elected Member.

Relevant History: - No relevant planning history on this site

Planning Policies: - Melton Local Plan 2011-2036 (Adopted October 2018)

The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area in addition to the Neighbourhood Plan. Under S.38 (6) planning decisions must follow the policies of the of the Plan unless material considerations indicate otherwise

Policy EN6 states development proposals will be supported where they do not harm open areas which, contribute positively to the individual character of a settlement, contribute to the setting of historic built form and features or contribute to the key characteristics and features of conservation areas.

Policy EN13 states the Council will take a positive approach to the conservation of heritage assets and the wider historic environment.

Policy D1 seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.

National Planning Policy Framework (NPPF) 2019

The Local Plan has been examined and is it has been concluded it is compatible with the NPPF 2012 version. There are not considered to be any changes in the 2019 version that renders the policies applicable to this application 'out of date'.

Listed Buildings and Conservation Area Act 1990

The Committee is reminded of the duty of the Council to give special attention to the desirability of preserving or enhancing Listed Buildings, under Sections 16 and 66 and Conservation Areas, under Section 72 of the Act.

Consultations

Consultation Reply	Assessment of Assistant Director of Planning and Regulatory Services
Local Highway Authority Following the submission of revised details the Local Highway Authority have no objection or further comment to make on this matter. Access to the site is an existing access and the applicant is not proposing alterations of modification. Also, the revised plan is proposing no changes to existing visibility and in consideration to the highway safety	The application proposes 8 x removable wooden entrance bollards at the existing vehicular access at Rectory Court, Rectory Lane, Bottesford. Rectory Lane is a publicly maintainable classified C Road subject to a 30 mph speed limit and 7.5 tonne weight restriction. As per the comments of the Local Highway Authority there is no objection

approval is recommend for this application.	to the application on highway grounds.
Parish Council The Parish Council have no objections to this planning application.	Comments noted

Representations:-

The application was advertised by means of a Press Notice published: 07.02.2019 and letters were sent out to 29 no. Neighbouring properties on the 07.02.2019.

There have been no objections received from local residents.

Other Material Considerations	Assessment of Assistant Director of Strategic Planning and Regulatory Services
Application of planning policy Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and advises that proposals which accords with an up to date development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, a Local Planning Authority should grant permission unless: the application of the policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.	The application is required to be considered against the Development Plan and other material considerations. The NPPF is a material consideration of some significance. The Adopted Local plan (October 2018) is considered to be up to date and the application is in accordance with the content of the NPPF and therefore the NPPF does not 'weigh against' the provisions of the Local pan (so far as applicable to this application).
Melton Local Plan The Melton Plan of 2011-2036 is now the development plan for the area in which all planning applications *must* be taken against. **Policy EN6** states development proposals will be supported where they	The Local Plan is now adopted and now is part of decision making for the purposes of determination. The principle of development in this case is supported due to the minimal impact

do not harm open areas which, contribute positively to the individual character of a settlement, contribute to the setting of historic built form and features or contribute to the key characteristics and features of conservation areas. **Policy EN13** states the Council will take a positive approach to the conservation of heritage assets and the wider historic environment. **Policy D1** seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.	the proposal will have. In accordance with Policy EN6 and EN13 the minor nature of the proposal and the removable aspect would ensure that there is no detrimental impact upon either the Listed Rectory Court or the wider historic environment. The principle of Policy D1 is supported with materials being specifically sought to ensure no detrimental impact occurs to the overall character of the area.
Neighbourhood Plan Bottesford PC are a qualifying body with an intention to develop a Neighbourhood Plan. However no Neighbourhood Plan has been published and as such cannot be a consideration in this instance.	**Neighbourhood Plan** NPPF paragraph 48 states that: Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). The NP has yet to be published or begin it process of consultation, submission, examination and referendum etc and accordingly can be given weight at this stage of its development.

Conclusion:-

The proposal would allow 8 removable bollards to be placed at the entrance to Rectory Court, the design of the bollards being wooden and non intrusive is considered suitable and would not impact adversely on either the Listed Building, street scene or wider Conservation Area.

The proposal would not have an adverse impact on highway safety. Accordingly, the proposal complies with the above policies EN6, EN13, D1 of the Melton Local Plan and guidance and is recommended for approval, subject to conditions.

Having regard to the above it is considered that the proposed development complies with the provisions of the NPPF and the Melton Plan 2011-2036. No material considerations are present to justify a decision that would depart form the Local Plan and it is recommended that planning consent be granted on this occasion.

Recommendation: Permit subject to the following conditions.

1. The development shall be begun before the expiration of three years from the date of this permission.

2. The development herby permitted shall be carried out in accordance with the drawing numbered: HN/091/ 03A received by the Local Planning Authority on the 27 March 2019 and Bollard Details Plan received 01 February 2019.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt.

Officer to contact: Louise Parker
Date: 26th March 2019

This page is intentionally left blank